

U.S. Department of Justice
United States Marshals Service

PROC'S RECEIPT AND RETURN
*See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form*

PLAINTIFF UNITED STATES OF AMERICA		COURT CASE NUMBER 5:04CR423
DEFENDANT Joseph Zmugg		TYPE OF PROCESS Notice by Publication
SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN	
	Daily Court Reporter	
ADDRESS (Street or RFD, Apartment No., City, State, and ZIP Code) 120 West Second Street; P.O. Box 340; Mid City Station; Dayton 45402		
SEND NOTICE OF SERVICE TO REQUESTER AT NAME AND ADDRESS BELOW:		Number of process to be served with this Form - 285 1
Herbert J. Villa Assistant United States Attorney Office of the United States Attorney 801 West Superior Avenue Suite 400 Cleveland, Ohio 44113 (216) 622-3735		Number of parties to be served in this case 1
		Check for service on U.S.A. <input checked="" type="checkbox"/>

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, All Telephone Numbers, and Estimated Times Available For Service)

Publish the attached Notice in accordance with the Preliminary Order of Forfeiture, also attached.

CATS ID: 04-FBI-004727

Signature of Attorney or other Originator requesting service on behalf of: <i>Brian J. SV</i>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER (216) 622-3735	DATE 3/21/05
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process No. <u>1</u>	District of Origin No. <u>60</u>	District to Serve No. <u>60</u>	Signature of Authorized USMS Deputy or Clerk <i>Karen McConnell</i>	Date <u>3/25/05</u>
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I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below).

Name and title of individual served (If not shown above).	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.		
Address (complete only if different than shown above)	Date of Service <u>05-03-05</u>	Time <u>1330</u>	am <input checked="" type="checkbox"/> pm <input type="checkbox"/>

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount Owed to US Marshal or	Amount or Refund
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REMARKS:

Published March 31, April 7, and April 14, 2005.

DAILY COURT REPORTER

120 West 2nd Street, P.O. Box 10338, Mid City Station, Dayton, OH 45402

Phone 937-222-6000 *** Fax 937-341-5020

A Daily Newspaper Devoted to General, Political, Religious, Social, Business and Legal Events of the Day!

Jeffrey A. Foster, Publisher

NOTICE OF PUBLICATION

United States vs. Joseph A. Zmugg,
Criminal Case No. 5:04CR423

Notice is hereby given that on February 28, 2005, in the case of United States vs. Joseph A. Zmugg, Criminal Case No. 5:04CR423, the United States District Court for the Northern District of Ohio entered an Order condemning and forfeiting a Toshiba Satellite Laptop S/N 93339239K to the United States of America.

Pursuant to the foregoing Order of Forfeiture having been entered on February 28, 2005, the United States hereby gives notice of its intent to dispose of the forfeited computer in such manner as the United States Attorney General may direct. Any person, other than Defendant Joseph A. Zmugg, having or claiming a legal right, title or interest in the forfeited computer must file a petition with the Court in the above-captioned action within thirty (30) days of the final publication of this notice. The petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the forfeited computer, and shall be filed with the Court at the following address: U.S. Courthouse, 801 West Superior Avenue, Cleveland, Ohio 44113. A copy of said petition also shall be provided to the Office of the United States Attorney, Attention: Asset Forfeiture Division, 801 West Superior Avenue, Suite 400, Cleveland, Ohio 44113.

The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited computer, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited computer, and any additional facts supporting the petitioner's claim and the relief sought.

United States Marshal
Northern District of Ohio
3-31 4-14-2005 3Thur

PROOF OF PUBLICATION U.S. DISTRICT COURT SOUTHERN DISTRICT OF OHIO

CASE NUMBER: 5:04CR423

United States
vs
Joseph A. Zmugg

State of Ohio
County of Montgomery.}SS.

Virginia Seitz being first duly sworn, says that she is employed by the Daily Court Reporter, Inc., a daily newspaper of general circulation in Montgomery County, Ohio; that she checks the legal notices published in said newspaper; that the annexed notice was published in said Daily Court Reporter, once each week for three (3) consecutive weeks, beginning on the 31st day of March 2005 and that each insertion of said notice in said newspaper was on the same day of each week.

Signed _____

Subscribed in my presence and sworn
to before me this 14th day of April 2005.

Notary Public
Sara P. O'Brien, Notary Public State of Ohio
My Commission Expires April 1, 2009.

BALANCE DUE
Invoice 18569
Printers Fees, \$ 232.24

Peter J. Elliott

U.S. Marshal Peter J. Elliott